

### Advisory Opinions on Consent Agenda - December 2021

Item #	Docket #	Caption	Analysis	Recommendation
G5	2021-773	Advisory opinion request from Lori Whatley, Administrative Coordinator with DOTD, regarding possible nepotism if her husband is hired as Superintendent.	Since Lori Whatley has been employed continuously with the DOTD Maintenance Unit for more than one year, she would not be prohibited from continuing her employment with DOTD in the event her husband becomes Superintendent over the DOTD Maintenance Unit. A disqualification plan should be submitted to prevent a potential violation of 1112B(1) on the part of Mr. Whatley if he is hired as Superintendent.	Adopt the proposed advisory opinion.
G6	2021-829	Advisory opinion request regarding whether the Louisiana Code of Governmental Ethics would prevent Trenton Broussard, an employee of the Streets Department of the City of Jennings from bidding on work with the Inspectors Office.	Mr. Broussard would not be prohibited by Section 1113A from bidding on or entering into a contract with the Inspectors Office since the contract is not under the supervision or jurisdiction of his agency, the City of Jennings Streets Department.	Adopt draft advisory opinion.

Item #	Docket #	Caption	Analysis	Recommendation
G7	2021-830	Advisory opinion request from Mendy Escudier, on behalf of the East Baton Rouge Parish Coroner's office, as to whether one of its employees may obtain an exception from the Code of Governmental Ethics in order to continue working with its office on a contract basis after leaving full-time employment.	The Board does not have the authority to provide exceptions to the Code of Governmental Ethics. Any change in the Code of Governmental Ethics would necessitate changes to the statutes by the Legislature. For a period of two years following the termination of his or her public employment, a public servant may not contract with EBRPCO to render the services he or she rendered as an employee of EBRPCO.	Adopt proposed advisory opinion.
G8	2021-831	Request for an advisory opinion from Marcus Peterson, Police Juror for Jefferson Davis Parish, relative to his teaching Emergency Medical Responder classes to employees of the Jefferson Davis Fire District #1.	Marcus Peterson would be prohibited from contracting and/or transacting with the Jefferson Davis Fire District #1 to teach Emergency Medical Responder classes to the fire department while he serves as a police juror for Jefferson Davis Parish. As a member of the governing authority, as well as an elected chief executive of a governmental entity, Marcus Peterson's agency is considered to be the governmental entity and any agency of the governmental entity, which includes the Jefferson Davis Fire District #1.	Adopt the proposed advisory opinion draft.

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G9	2021-883	Advisory opinion request regarding whether Byron Hurst would be prohibited from being employed with the Louisiana Department of Education as the Deputy Assistant Superintendent for Student Well-Being while serving as a member of the St. Helena Parish School Board.	The Code of Ethics would not prohibit Mr. Hurst from holding both public positions provided he is not performing work for the school board while providing work for the Dept. of Education. However, the dual office holding or dual employment laws may be implicated. Mr. Hurst should be directed to seek guidance from the attorney general's office.	Adopt proposed advisory opinion.
G10	2021-884	Advisory opinion request regarding whether the Louisiana Code of Governmental Ethics would prevent Toby Henry, a recently elected Justice of the Peace for Terrebonne Parish Ward 7, from continuing to teach medical classes at the Houma Fire Department.	Mr. Henry's continued service as both Justice of the Peace for Terrebonne Parish Ward 7 and medical instructor for the Houma Fire Department is not prohibited by the Code of Governmental Ethics. Justices of the Peace are not under the jurisdiction of the Board, but the Louisiana Judiciary Commission.	Adopt draft advisory opinion.